

MICHAEL GREENE,  
  
Petitioner,  
  
v.  
  
UNITED STATES OF AMERICA,  
  
Respondent.

## I. DISCUSSION

The Court will deny Petitioner’s motion for reconsideration. As the court noted in its prior Order, absent extraordinary circumstances, this Court should not consider Petitioner’s motion while review of his criminal case is pending on direct appeal. See Rules Governing Section 2255 Proceedings, Rule 5 (advisory committee note, stating that courts have held that motions to vacate are “inappropriate if the movant is simultaneously appealing the decision”).

As the Court noted in its prior Order, Petitioner has simply not alleged any extraordinary circumstances warranting immediate review of his Motion to Vacate.

## **II. CONCLUSION**

**IT IS, THEREFORE, ORDERED** that:

(1) Petitioner's Motion for Reconsideration of the Court's prior Order on Petitioner's Motion to Vacate (Doc. No. 5) is **DENIED**.

Signed: January 30, 2012

A handwritten signature in cursive script, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen  
United States District Judge

